

REMARKS

In response to the Examiner's action, Applicants have amended the priority claim and claims 1, 3, 5, 9, 11, 13 to 15 and 19. In addition, the response includes a terminal disclaimer in view of US Pat. No. 6,632,259. Applicants respectfully request reconsideration in view of the amendment, terminal disclaimer and the following remarks.

Applicants amended the priority claim to reflect the issued status of copending US Pat. Appln. No. 09/860,933. In addition, Applicants characterized this application as a divisional patent application to more accurately reflect the identity of this application.

Applicants amended claims 1 and 11 to the second moiety "in combination with the first moiety" providing structural rigidity for clarity. Page 2, lines 12 to 17 and the fact that the polymer represents a copolymer provide a basis for the limitation. Claims 3 and 13 include a change from "which" to --that-- for proper usage. Claim 11, includes a correction to acrylic acid and methacrylic acid monomers—Example 1 provides a basis for the limitation. Finally, claim 14 now includes an "abrasive-free" limitation—page 10, lines 11 to 17 provide a basis for the limitation. Applicants respectfully submit that the amended claims enter no new matter.

The action rejected claims 3, 5, 6, 9, 10, 13, 15, 16 and 19 to 20 under 35 U.S.C. § 112, second paragraph, as being indefinite. The amendment responds to the particular rejections as follows:

Claims 3 and 13 correct the antecedent basis issue for the polishing pad.

Claims 5 and 15 now include "and the polishing composition further comprises" to introduce compositional ranges as suggested by the Examiner.

Claims 9 and 19 correct the antecedent basis issue for the reaction product. Applicants respectfully submit that the amended claims enter no new matter.

In addition, the action rejects claims 1 to 20 under the judicially created doctrine of obviousness-type double patenting in view of US Pat. No. 6,632,259. In response to this rejection, applicants have filed a terminal disclaimer to obviate the rejection.

Applicants respectfully submit that the application is in condition for allowance and request reconsideration. If a telephone call would expedite prosecution, please call me at (302) 283-2136.

Respectfully submitted,

Mar. 15, 2004

Date



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